

## REMARKS

Reconsideration of this application as amended is respectfully requested.

In the Office Action, claims 1-53 are pending. Claims 1-53 have been canceled. Claims 54-65 have been added. No new matter has been added.

Applicant respectfully submits that newly added claim 54 is patentable over the cited reference. In particular, claim 54 has been amended to include subject matter that is similar to the subject matter of the canceled claim 35, which was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. In particular, claim 54 recites:

A motion estimation apparatus, comprising:

a first unit configured to select one of a plurality of sub-blocks in high-frequency sub-bands of each of one or more blocks into which each of frames of interlaced images forming a moving image is divided, the frames being hierarchically compressed and encoded into code stream data by performing discrete wavelet transform on pixel values of each of the blocks;

a second unit configured to calculate an amount of codes of each of 1LH and 1HL components of the selected one of the sub-blocks and to calculate **the ratio of the amount of codes of the 1LH component to the amount of codes of the 1HL component**; and

a third unit configured to **compare the calculated ratio with a threshold** and to estimate that motion in the selected one of the sub-blocks is high-speed if the calculated ratio is greater than the threshold and that the motion in the selected one of the sub-blocks is low-speed if the calculated ratio is less than or equal to the threshold. (emphasis added).

Applicant respectfully submits that claim 54 requires calculating the ratio of the amount of codes of the 1LH component to the amount of codes of the 1HL component and comparing the calculated ratio with a threshold. As set forth in the Office action, mailed July 19, 2007, page 4, the cited reference, Acharya, does not disclose calculating a ratio obtained as a result of comparison of an amount of codes of a 1LH sub-band and an amount of codes of a 1HL sub-band, nor performing a comparison on each of the sub-blocks include in the high-frequency sub-

bands. Applicant respectfully submits that at least these limitations are not disclosed by Acharya.

Given that the cited reference fails to disclose all of the limitations of the claim, Applicant respectfully submits that claim 54 is patentable over the cited reference.

Given that claims 55-57 depend from independent claim 54, which is patentable over the cited reference, Applicant respectfully submits that dependent claims 55-57 are also patentable over the cited reference.

Applicant respectfully submits that claims 58-61, and 62-65 are patentable over the cited reference for similar reasons described above with respect to claim 54. Applicant respectfully submits that claims 54-65 are directed to the same species as canceled claims 29-52.

#### CONCLUSION

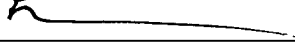
In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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